Influence of relatives of Judges

†2051. SHRI R.S. GAVAI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that the influence of relatives of judges is increasing in the legal profession;

(b) if so, whether Government are contemplating to make any law or code of conduct to curb this tendency;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY): (a) to (d) Though the relatives of the Judges can practise in the same courts where the related Judge is on the Bench, Clause 6 of the Bar Council of India Rules as provided below restricts the influence of the relatives of judges in the legal profession;

"6. An Advocate shall not enter appearance, act, plead or practice in any way before a Court, Tribunal, or Authority mentioned in Section 30 of the Act, if the sole or any member thereof is related to the Advocate as father, grandfather, son, grand-son, uncle, brother, nephew, first cousin, husband, wife, mother, daughter, sister, aunt, niece, father-in-law, mother-in-law, brother-in-law, daughter-in-law or sister-in-law.

For the purpose of this rule, Court shall mean a Court, Bench or tribunal in which above mentioned relation of the Advocate is a Judge, Member or the Presiding Officer."

In terms of the Advocates Act 1961, powers for taking any disciplinary action against advocates, who have been found appearing in the Court in which his relation is sitting on the Bench, vest in either the State Bar Council or the Bar Council of India.

Expenditure on Election

†2052. SHRI MOTILAL VORA: Will the Minister of LAW AND JUSTICE be pleased to refer to the reply to starred question 213 given in the Rajya Sabha on the 8th August, 2005 and state:

(a) the recommendation of the Election Commission which were considered by Government and Government's reaction thereto; and

(b) by when Government are likely to consider the remaining recommendations?

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†Original notice of the question was received in Hindi.

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) and (b) The Chairman, Rajya Sabha referred the subject of electoral reforms to the Department-related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice for examination and report and the entire matter is now before the Committee. The recommendations of the Committee are awaited before the Government could take any action.

Image of democratic institutions

†2053. DR. NARAYAN SINGH MANAKLAO: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Govemment are concerned with improving the bad impression of the democratic institutions in the wake of cases filed or under consideration in the courts against the elected reprentatives of the people; and

(b) if so, whether Government plan to set up special courts on the lines of Fast Track Courts for speedy and timely disposal of such types of cases?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. 3VENKATAPATHY): (a) Institution and disposal of cases against any person including elected representatives are part of judicial process which is the exclusive domain of the Judiciary. The Government does not interfere in the process.

(b) No, Sir.

Establishment of new High Courts

2054. DR. M.A.M. RAMASWAMY: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether a number of State Government have requested the Central Government to set up separate High Courts for them;

(b) if so, the details thereof;

(c) the number of cases pending in the High Courts which are meant for two or more than two States; and

(d) the action/steps proposed to be taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY): (a) to (d) Haryana, Manipur, Meghalaya, Mizoram and Tripura have requested the Central Government to set up separate High Courts in their States.

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†Original notice of the question was received in Hindi.